

#10/3

Attorney Docket: 990667/RSB

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants : Ludwig WILDT et al.  
Serial No. : 09/403,940  
Filed : January 12, 2000  
For : DEVICE FOR DETERMINING  
FLUCTUATIONS IN END  
EXPIRATORY GASES, METHOD  
FOR DETERMINING FLUCTUATIONS  
IN RESPIRATORY METABOLISM AND  
THE USE OF SAID DEVICE  
Art Unit : 1743  
Examiner : GAKH

**AMENDMENT AND RESPONSE  
TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: OFFICE OF PETITIONS**

S I R :

This is a response to the Office Action of August 29, 2001  
(Paper No. 6), which is a Restriction Requirement under 35 USC  
121. Please amend the application as follows:

**IN THE CLAIMS:**

Please add the following claim:

--29. (New) The method according to claim 18, wherein the  
generating of a signal is used for prediction of ovulation.--

**MAIL STOP PETITION**

**CERTIFICATE OF MAILING**

I hereby certify this  
correspondence is being  
deposited with the United  
States Postal Service with  
sufficient postage as First  
Class mail in an envelope  
addressed to:

Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450  
on the date noted below.

Attorney: Richard S. Barth

Dated: June 5, 2003

In the event that this Paper  
is late filed, and the  
necessary petition for  
extension of time is not filed  
concurrently herewith, please  
consider this as a Petition  
for the requisite extension of  
time, and to the extent not  
tendered by check attached  
hereto, authorization to  
charge the extension fee,  
or any other fee required  
in connection with this  
Paper, to Account No. 06-1378.

**RECEIVED**

**JUN 10 2003**

**OFFICE OF PETITIONS**